

HOUSE BILL 375

By Briley

AN ACT to amend Tennessee Code Annotated, Title 71,  
Chapter 5, Part 1, relative to TennCare false  
claims.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 71-5-182(a)(1), is amended by  
adding the following language as new subdivisions:

(E) Has possession, custody, or control of public property or money used or to  
be used by the State and knowingly delivers or causes to be delivered less property than  
the amount for which the person received a certificate or receipt;

(F) Is authorized to make or deliver a document certifying receipt of property  
used or to be used by the State and knowingly makes or delivers a receipt that falsely  
represents the property used or to be used;

(G) Knowingly buys, or receives as a pledge of an obligation or debt, public  
property from any person who lawfully may not sell or pledge the property; or

(H) Is a beneficiary of an inadvertent submission of a false claim to any  
employee, officer, or agent of the State, or to any contractor, grantee, or other recipient  
of state funds, subsequently discovers the falsity of the claim, and fails to disclose the  
false claim to the State within a reasonable time after discovery of the false claim;

SECTION 2. Tennessee Code Annotated, Section 71-5-182, is further amended by  
deleting subsection (c) in its entirety and by substituting instead the following language:

(c) For purposes of the Tennessee medicaid false claims act:

(1) "Claim" includes any request or demand for money, property, or  
services made to any employee, officer, or agent of the state, or to any  
contractor, grantee, or other recipient, whether under contract or not, if any

portion of the money, property, or services requested or demanded issued from, or was provided by, the state, or if the state will reimburse such contractor, grantee, or other recipient for any portion of the money or property which is requested or demanded;

(2) "Person" includes any natural person, corporation, firm, association, organization, partnership, business, or trust; and

(3) "Employer" includes any natural person, corporation, firm, association, organization, partnership, business, trust, or state-affiliated entity involved in a nongovernmental function, including state universities and state hospitals.

SECTION 3. Tennessee Code Annotated, Section 71-5-184, is amended by deleting subsection (b) in its entirety and by substituting instead the following language:

(b) A civil action under § 71-5-183 may not be brought more than three (3) years after the date when facts material to the right of action are known or reasonably should have been known by the official of the state charged with responsibility to act in the circumstances, but in no event more than ten (10) years after the date on which the violation is committed.

SECTION 4. This act shall take effect upon becoming law, the public welfare requiring it.